

Late Filing

Dear FCC Commissioners & Staff:

My name is Charlie Vongratana and I am the CEO and president of independent Lek.net, in Akron, Ohio. We began business in 1995 and presently have approximately 1,000 dialup customers & 500+ dedicated connection, most of whom live and work in Akron but we also do a fair amount of web hosting and co-located for customers throughout the state, and have few overseas customers as well.

We offer many services that our local phone company, Ameritech, does not. Services like free Internet support, at our offices. We also helped our local non-profit organizations and we continue to host locate chapter soccer teams website for free.

When we opened for business we started, as many ISPs did, with a stack of ordinary dial-up modems and a fistful of phone lines from Ameritech. Of course getting phone lines from Ameritech was always a problem, and we frequently lost customers when our modem lines became busy because Ameritech was late delivering phone lines we had ordered well in advance.

Nowadays we have moved on from ordinary phone lines to digital PRI's (Primary Rate ISDN), and the second a CLEC came to town, we moved all of the business we could over to that company instead. Since then the price has gone down, but more importantly, service has improved.

Unfortunately, I can't say the same about DSL. The CLEC we work with has chosen to terminate the DSL business because too many problems ordering lines from Ameritech, and the expansion of some of the 'Data CLECs' has stopped. If we want to offer Internet access over DSL to our customers, we must do it through Ameritech, and the prices Ameritech has offered us make it impossible for us to compete. We are expected to pay \$39.00 per month for the data line to reach the customer with an additional \$581.00 per month for Ameritech's single ATM line, and turn around and compete with Ameritech, which is offering reconfigured phone lines, internet access and free \$200 modems, for \$49.95 per month. Moreover, we lost many of our customers to Ameritech because there was a different DSL qualify database for DSL between us and Ameritech. As we are trying to qualify our customers for DSL, the database responds to us was 'Not Qualify'. That what we tell our customers, but when our customer calls Ameritech, DSL is available. There is no way we can offer this product without losing money. Unfortunately this also means that we are losing customers, either to Ameritech for DSL or to the cable company, since more and more of our customers are demanding faster access and if we can't provide it, they'll go to someone who will. If that trend continues, lek.net will not be around much longer.

I do not have the resources to fight the tariff that Ameritech has filed that allows it to get away with charging ISPs a wholesale rate of \$39 for access to the network. I believe the true cost is probably a great deal less than that. However, I also do not believe that the answer to this problem is simply to allow Ameritech to stop selling access to the network at all, or to take away the requirements that are supposed to be preventing Ameritech from discriminating.

The answer is for the FCC to make a good faith effort to uncover the discrimination (whether it is in pricing or provisioning) and put an end to it. U

ntil the FCC has demonstrated that it is willing to do this for ISPs, any talk about lifting the rules for monopolies like Ameritech is premature.

I hope that you will take my comments seriously - I am sending a copy of this letter to my Congressman as well.

Sincerely,

Charlie Vongratana
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